

## Article - Environment

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§4-110.

(a) If the Department finds that earth moving activity requiring the approval of the appropriate approval authority is being carried on in violation of § 4-105 of this subtitle either because it is being undertaken:

(1) Without any such approval; or

(2) Not substantially in accordance with the approved plan or any written recommendations of the approval authority regarding control of erosion and siltation and elimination of pollution, the Department may issue an order requiring the person conducting the work to stop all work, except that work necessary to implement the recommendations of the approval authority, until such time as approval of the activity has been obtained from the approval authority and the sediment control measures required by the authority have been implemented.

(b) In order to request that a stop work order be lifted, the person to whom the stop work order has been issued shall notify the Department when the required approval has been received and the required sediment control measures have been implemented.

(c) The Department shall act on a request to lift a stop work order and shall notify the requestor of its approval or denial of the request within 2 working days of the receipt of that request. Any denial must be in writing, providing the reasons therefor. Denial of a request to lift a stop work order solely for reasons pertaining to implementation or maintenance of erosion and sediment control measures shall be based upon an inspection of the construction site by the Department. If the initial request is denied, the Department shall act upon each subsequent request within 10 working days of receipt of that subsequent request.

(d) A stop work order is effective immediately whether or not a request for a hearing is filed, and remains in effect until lifted in accordance with this subsection.

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